

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

|                          |   |                           |
|--------------------------|---|---------------------------|
| <b>JAIME GUTIERREZ,</b>  | ) | <b>CASE NO. 4:06CV668</b> |
|                          | ) |                           |
| <b>Plaintiff,</b>        | ) |                           |
|                          | ) |                           |
| <b>V.</b>                | ) | <b>ORDER OF DISMISSAL</b> |
|                          | ) |                           |
| <b>JEREMY BERMEL and</b> | ) |                           |
| <b>JARED JUNG,</b>       | ) |                           |
|                          | ) |                           |
| <b>Defendants.</b>       | ) |                           |

This matter is before the Court on the Motion to Dismiss filed by Plaintiff Jaime Gutierrez. The Court finds that the motion satisfies the requirements of Fed. R. Civ. P. 41(a)(1)(i), and it will be granted. Accordingly,

**IT IS ORDERED:**

1. The Plaintiff's Motion to Dismiss (Filing No. 5) is granted;
2. The Complaint is dismissed without prejudice; and
3. The parties will pay their own costs and attorney's fees.

DATED this 30<sup>th</sup> day of May, 2007.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge